

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NECA-IBEW PENSION TRUST FUND and) Case No. 10-cv-00440 (LAK) (HP)
DENIS MONTGOMERY, on behalf of)
Themselves and All Others Similarly Situated,)

Plaintiffs,)

) CLASS ACTION

v.)

BANK OF AMERICA CORPORATION ,)
KENNETH D. LEWIS, JOE L. PRICE,)
NEIL A.COTTY, WILLIAM BARNET, III,)
FRANK P. BRAMBLE, SR., JOHN T.)
COLLINS, GARY L. COUNTRYMAN,)
TOMMY R. FRANKS, CHARLES K.)
GIFFORD, W. STEVEN JONES, WALTER E.)
MASSEY, THOMAS J. MAY, PATRICIA E.)
MITCHELL, THOMAS M. RYAN, O.)
TEMPLE SLOAN, JR., MEREDITH R.)
SPANGLER, ROBERT L. TILLMAN, JACKIE)
M. WARD, BANC OF AMERICA)
SECURITIES LLC, CITIGROUP GLOBAL)
MARKETS INC., MERRILL LYNCH, PIERCE,)
FENNER & SMITH INCORPORATED,)
MORGAN STANLEY & CO.)
INCORPORATED, UBS SECURITIES LLC,)
WACHOVIA CAPITAL MARKETS, LLC,)
DEUTSCHE BANK SECURITIES, J.P.)
MORGAN SECURITIES INC.,)

Defendants.)

CERTIFICATE OF SERVICE

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I hereby certify that on August 23 , 2011, I delivered to the Clerk of the Court, United States District Court Southern District of New York, via Federal Express and electronic mail the original and electronic copies of the following document:

NOTICEI OF RECENT AUTHORITY

I hereby certify that I served via Federal Express and electronic mail true and correct copies of said document to the individuals identified in Attachment A hereto:

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct. Dated this 23rd day of August, 2011 at San Diego, California.

/s/ Jeffrey R. Krinsk
Jeffrey R. Krinsk

Attachment A

<p>KLAFTER, OLSEN & LESSER LLP Jeffrey Klafter jak@klafterolsen.com Two International Place, Suite 350 Rye Brook, NY 10573 Tel: 914.934.9200 Attorneys for Plaintiffs and Liaison Counsel for the Class</p>	<p>O'MELVENY & MYERS LLP Bradley J. Butwin (bbutwin@omm.com) Jonathan Rosenberg (jrosenberg@omm.com) William J. Sushon (wsushon@omm.com) 7 Times Square New York, New York 10036 (212) 326-2000</p> <p>Attorneys for Defendants Bank of America Corporation, Kenneth D. Lewis, Joe > Price, Neil A. Cotty, William Barnet, III., Frank P. Brambles, Sr., John T. Collins, Gary L. Countryman, Tommy R. Franks, Charles K. Gifford, W. Steven Jones, Walter E. Massey, Thomas J. May, Patricia E. Mitchell, Thomas M. Ryan, O. Temple Sloan, Jr., Meredith R. Spangler, Robert L. Tillman, Jackie M. Ward, Bank of America Securities LLC</p>
<p>SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP Jay B. Kasner (jay.kasner@skadden.com) Scott D. Musoff (scott.musoff@skadden.com) Four Times Square New York, New York 10036 (213) 735-3000 Attorneys for Defendants Citigroup Global Markets Inc., Merrill Lynch. Pierce, Fenner & Smith Incorporated, Morgan Stanly & Co. Incorporated, UBS Securities LLC, Wachovia Capital Markets, LLC (n/k/a Wells Fargo Securities, LLC), Incapital LLC, Deutsche Bank of Securities Inc., J.P. Morgan Securities</p>	